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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------------|------------------|
| 10/783,527   | 02/19/2004  | Chi-Tsung Peng       | JIL07                              | 7162             |
| 7590   | 10/14/2005  |                      |                                    |                  |
| J.C. Patents<br>Suite 250<br>4 Venture<br>Irvine, CA 92618 |             |                      | EXAMINER<br>CARTER, WILLIAM JOSEPH |                  |
|  |             |                      | ART UNIT                           | PAPER NUMBER     |
|  |             |                      | 2875                               |                  |

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/783,527

Applicant(s)

PENG ET AL.

Examiner

William J. Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004 and 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

Throughout the specification and claims, “pitched,” “destructions,” and/or “decorations” are used to describe a characteristic of the optical fiber. “Pitched” is interpreted to describe the arrangement of the “destructions,” while “destructions” and “decorations” are interpreted to mean “depressions.” The examiner requests a more thorough description of these characteristics.

On page 1, lines 26 and 27, “a illumination” should be changed to “an illumination.”

Appropriate correction is required.

### ***Claim Objections***

Claims 1 and 3 are objected to because of the following informalities:

In claim 1, “a plastic optical fiber bundle” cannot be “a single plastic optical fiber.”

Claim 1 sets forth a “special mold,” but an adequate description of the “special mold” has not been set forth.

In claim 1, “the cooling area” lacks antecedent basis.

Claim 1 sets forth an “appropriate unit,” but an adequate description of the “appropriate unit” has not been set forth.

In claim 1, it is claimed that the outer layer is destructed "without affecting any inner layer," where it is evident that by destructing the outer layer at least one inner layer will be exposed and thus affecting it and the light passage through it.

In claim 1, that statement "a power is turned on" is unclear, because neither the power source nor the element that is supplied by this power is identified.

In claim 1, "without offending to eyes" is unclear as it cannot be determined what is and what is not offending.

In claim 1, "an luminary" should be changed to "a luminary," and it is suggested that "fiber forwarded," "out layer," and "a plural" be changed to "fiber is forwarded," "outer layer," and "a plurality" respectively.

In claim 3, "a illumination" should be changed to "an illumination."

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appeldorn et al. (5,432,876) in view of Appeldorn et al. (5,659,643).

With respect to claims 1, 3, and 4, Appeldorn ('876) teaches a plastic optical fiber bundle (Fig. 9) with pitched illumination decorations (4) having a single plastic optical

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fiber (2), the surface of the plastic optical fiber being destructured in a pitched, wherein an outer layer of the plastic optical fiber is distributed with pitched destructions (4) formed based on an appropriate unit (Tables, columns 10-11 and columns 13-14) and only the outer layer of the plastic optical fiber is destructured without affecting any inner layer of the plastic optical fiber (Fig. 1); a plural of separate plastic optical fibers with pitched destructions (4) form the plastic optical fiber bundle (Fig. 9) with pitched illumination decorations (4); said plastic optical fiber bundle produces a light leak effect (column 7, lines 48-62) when a power is tuned on and a luminary or a spotlight bulb radiates light (column 12, lines 19-22); the light is very soft without offending to eyes and can be used for different applications. Appeldorn ('876) does not teach the plastic optical fiber being destructured in a pitched manner with a special mold before the plastic optical fiber forwarded to the cooling area. Appeldorn ('643) teaches a plastic optical fiber being formed in a mold to be destructured in a pitched manner (column 4, lines 39-40). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the mold of Appeldorn ('643) in the illumination structure of Appeldorn ('876), so that the destructions would not have to be cut into the fiber at a later time (column 4, lines 39-40). As for claims 3 and 4, all of the dependent claimed elements are discussed above and Appeldorn ('876) teaches the remaining claimed elements. Appeldorn ('876) teaches a luminary or a spotlight bulb is installed in an illumination structure that is installed on each end of the plastic optical fiber bundles with pitched illumination decorations (column 12, lines 19-22).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Appeldorn ('876) in view of Appeldorn ('643) as applied to claims 1, 3, and 4 above, and further in view of Hulse et al. (6,550,952).

With respect to claim 2, Appeldorn ('876) in view of Appeldorn ('643) teaches all of the claimed elements, as disclosed above, except for a connector being installed between two of the illumination devices. Hulse, drawn to illumination, shows two illuminating devices (90, 91) being coupled with a connector (92). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the connector of Hulse in the illuminating device of Appeldorn ('876) in view of Appeldorn ('643), in order to illuminate both ends of two connected light pipes (column 6, line 66-column 7, line 2).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee S. Luebke can be reached on (571)272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wjc  
10/04/05



RENEE LUEBKE  
PRIMARY EXAMINER